

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF  
TUESDAY, FEBRUARY 16, 1999  
AT 9:00 A.M.  
IN THE COUNCIL CHAMBERS - 12TH FLOOR

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**CHRONOLOGY OF THE MEETING:**

The meeting was called to order by Mayor Golding at 11:09 a .m. Mayor Golding convened the Housing Authority to meet simultaneously with the City Council at 11:22 a.m. Mayor Golding adjourned the meeting at 12:22 p.m. into Closed Session at 2:00 p.m. in the twelfth floor conference room to discuss real property negotiations.

**ATTENDANCE DURING THE MEETING:**

(M) Mayor Golding-present

(1) Council Member Mathis-present

(2) Council Member Wear-present

(3) Council Member Kehoe-present

(4) Council Member Stevens-present

(5) Council Member Warden-present

(6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Fishkin (lw)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Reverend John Hughes of the Metro United Methodist Urban Ministry.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stallings.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comment by Don Stillwell regarding education and early America. He said now is the time to teach children about past presidents and their quotes. Mr. Stillwell said the schools have our children 30 hours a week and they need to be taught the truth.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A036-069.)

PUBLIC COMMENT-2:

Comment by Ray Davila regarding downtown San Diego and the new library. He said there are many homeless living in this area and feels that part of the TOT money should be used to completely abrogate the homeless problem.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A070-085.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Vargas said last week he had the opportunity to go to a house in his district that the Fire Department was burning as part of a training exercise. He said he was able to go inside to take a look at the characteristics of the fire as it burned. Council Member Vargas said he was also very impressed with the professionalism and the training capability of the rookie firefighters. He urged other Councilmembers to notify the Fire Department if there is a house in their district that will be demolished.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A087-099.)

ITEM-30: Approval of Council Minutes.

**TODAY'S ACTION IS: APPROVED**

Approval of Council Minutes for the meetings of:

1/13/99 Special Meeting  
1/18/99 Adjourned  
1/19/99  
1/25/99 Adjourned  
1/26/99 Adjourned  
2/1/99  
2/2/99

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A101-104.)

MOTION BY WARDEN TO APPROVE. Second by Mathis. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Celebrating Lunar New Year.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-899) ADOPTED AS RESOLUTION R-291263

Commending the Asian Business Association and all those in the Asian community who will welcome the Year of the Rabbit.

FILE LOCATION: AGENDA



COUNCIL ACTION: (Tape location: A106-137.)

MOTION BY COMMON CONSENT TO ADOPT THE RESOLUTION. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-50: Seventh Amendment to the First San Diego River Improvement Project Development Agreement (Rio Vista West.)

(Mission Valley Community Area. District-6.)

NOTE: The public testimony portion of the hearing is closed.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 2/2/99. (Council voted 8-0. Mayor Golding not present.):

(O-99-88) ADOPTED AS ORDINANCE O-18626 (New Series)

Approving the Seventh Amendment to the First San Diego River Improvement Project Development Agreement with Calmat Co. amending the Development Agreement adopted December 6, 1982, including the First Amendment adopted August 1, 1983, the Second Amendment adopted March 16, 1987, the Third Amendment adopted October 19, 1992 and the Fourth, Fifth, and Sixth Amendments adopted February 22, 1994.

FILE LOCATION: DEVL - First San Diego River Improvement Project - Rio Vista West (07)

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-100: Contract Execution for the Sidewalk and Curb/Gutter Replacement City Wide - C-16 - Option Contract.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-406) ADOPTED AS RESOLUTION R-291264

Approving plans and specifications for the Sidewalk and Curb/Gutter Replacement City Wide C-16 - Option Contract;

Authorizing an option contract with R.E. Smith Engineering and Construction, Inc.;

Authorizing the expenditure of an amount not to exceed \$400,000 from Street Division Operating Fund 10440;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds to the appropriate reserve, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are or will be on deposit in the City Treasury. (BID-K99083C)

**CITY MANAGER SUPPORTING INFORMATION:**

On December 2, 1997 the City Council approved specifications and authorized Contract Services to invite bids for Sidewalk and Curb/Gutter Replacement City Wide C-15, Bid K98043-C, (Resolution R-289495). The bid specification offered bidders the option of increasing the total contract to Replacement Sidewalk, Curb/Gutter City Wide. The low bidder, R.E. Smith Engineering & Construction Inc. has indicated that they are willing to exercise this option and do additional sidewalk replacement at the same price, terms and conditions. We have had favorable results in the current contract and now wish to exercise the option and increase the contract. This proposed contract is part of the City's annual street maintenance program. This action will provide for the replacement of damaged concrete hard scape surfaces in all Council Districts. Specific sidewalk and curb replacement locations are selected from the Street Division's current concrete backlog. Most locations are for the repair of sidewalks which have been damaged by parkway trees. It is projected that 327 locations can be completed by this contract. The projected contract locations are sites which involve sidewalk, curb repairs, and pedestrian ramp installations throughout the city.

Aud. Cert. 9900772.

FILE LOCATION: CONT - R.E. Smith Engineering and Construction, Inc.

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-101: Three actions related to Approving the Final Subdivision Map of Dennery Ranch Unit No. 1B.

(This is a 22-lot subdivision. Otay Mesa Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-568) ADOPTED AS RESOLUTION R-291265

Authorizing the execution of a Subdivision Improvement Agreement with Pardee Construction Company for the installation and completion of public improvements.

Subitem-B: (R-99-567) ADOPTED AS RESOLUTION R-291266

Approving the final map.

Subitem-C: (R-99-569) ADOPTED AS RESOLUTION R-291267

Authorizing a Landscape Maintenance Agreement with Pardee Construction Company for the maintenance and monitoring of landscaping within the public rights-of-way.

**CITY MANAGER SUPPORTING INFORMATION:**

This map proposes the subdivision of a 7.680 acre site into 22 lots for residential development. It is located north of Palm Avenue and east of Dennery Road in the Otay Mesa Community Plan area. On November 9, 1993 the Council of the City of San Diego approved Planned Residential Development Permit/Resource Protection Overlay/Hillside Review Permit No. 88-0785/VTM 96-7910 for Dennery Ranch Subdivision. The City Engineer has approved the final map and states that all conditions of the Tentative Map have been satisfied. The public improvements required for this subdivision are shown in detail on Drawing Nos. 28875-1-D through 28875-20-D, filed in the Office of the City Clerk under Micro Number 139.89. All improvements are to be completed within two years. The Engineer's estimate for the cost of public improvements is \$1,563,621 and a Performance Bond in that amount has been provided as surety. A cash bond in the amount of \$3,500, as determined by the surveyor's estimate, has been posted as surety for the setting of survey monuments. This subdivision is located in the Western Otay Mesa Public Facilities Financing Plan area, which provides for the payment of a Development Impact Fee (DIF), including parks, at the time of building permit issuance. This community may be subject to impact fees, as established by the City Council, at the time of issuance of building permits. Development on any property within this map shall pay the fees as set by the City Council and in effect in the community at the time of building permit issuance. Fees will be paid at the time the building permit is issued. Subdivider, by letter, has given assurance to the City of San Diego that he subscribes to the Affirmative Marketing Program as shown in the Memorandum of Understanding between the San Diego Building Association and U.S. Department of Housing and Urban Development. Subdivider shall enter into a Landscape Maintenance Agreement, agreeing to maintain all landscaping and appurtenances thereto within the City right-of-way adjacent to this subdivision, until another mechanism is established and assumes maintenance responsibility.

**FILE LOCATION:** Subitems A,B,C: SUBD - Dennery Ranch Unit No. 1B

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTIONS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-102: Morena Boulevard (Friars Road to Linda Vista Road), Linda Vista Road (Morena Boulevard to Napa Street), Napa Street (Linda Vista Road to Friars Road), and Friars Road (Napa Street to Linda Vista Road) Underground Utility District.

(Linda Vista Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-844) ADOPTED AS RESOLUTION R-291268

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the Morena Boulevard (Friars Road to Linda Vista Road), Linda Vista Road (Morena Boulevard to Napa Street), Napa Street (Linda Vista Road to Friars Road), and Friars Road (Napa Street to Linda Vista Road) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, "Annual Allocation - Undergrounding of City Utilities", and will underground the overhead utility facilities on Morena Boulevard (Friars Road to Linda Vista Road), Linda Vista Road (Morena Boulevard to Napa Street), Napa Street (Linda Vista Road to Friars Road), and Friars Road (Napa Street to Linda Vista Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding.

Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300-\$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

**FILE LOCATION:** STRT - K-262 (38)

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-103: North Torrey Pines Road (Science Park Road to approximately 1,100 Feet North of Callan Road) Underground Utility District.

(Torrey Pines Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-842) ADOPTED AS RESOLUTION R-291269

Calling a public hearing to determine whether the public health, safety, or general welfare requires the formation of the North Torrey Pines Road (Science Park Road to approximately 1,100 Feet North of Callan Road) Underground Utility District.

**CITY MANAGER SUPPORTING INFORMATION:**

The proposed district is identified in CIP-37-028.0, Annual Allocation - Undergrounding of City Utilities, and will underground the overhead utility facilities on North Torrey Pines Road (Science Park Road to approximately 1,100 Feet North of Callan Road) Underground Utility District. The formation of this district will require the affected property owners to underground the utilities which provide service to their property prior to removal of the overhead utilities in the street. Council Policy 800-2 provides for the use of San Diego Gas and Electric Company's Annual Allocation Funds (Case 8209) to make reimbursement payments to affected property owners for a portion of the cost of their required undergrounding.

Property owners are reimbursed based upon the length of their electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box. This cost typically ranges from \$300-\$1,500. A future request for a resolution will establish the date for removal of overhead electrical services to all customers and will be submitted as the undergrounding work approaches completion.

FILE LOCATION: STRT - K-264 (38)

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-104: Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District.

(Ocean Beach Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-847) ADOPTED AS RESOLUTION R-291270

Designating May 5, 1999 as the date upon which all property in the Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District must be ready to receive underground service and August 13, 1999 as the date for the removal of all overhead utility facilities;

Authorizing the City Auditor and Comptroller to open Fund 78107 for the purpose of depositing Public Utilities Commission Case 8209 Utility Under-grounding Allocation Funds for the Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District;

Authorizing the City Treasurer to receive these funds from the San Diego Gas & Electric Company;

Authorizing payment to all property owners in the Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District as reimbursement for electrical service underground conversion work done on private property;

Authorizing the City Treasurer to return to SDG&E any un-disbursed funds upon written notice from SDG&E to the City that all electrical service conversions within this particular district have been completed.

**CITY MANAGER SUPPORTING INFORMATION:**

The Voltaire Street (Ebers Street to Bacon Street) and Bacon Street (Voltaire Street to West Point Loma Boulevard) Underground Utility District was created by the City Council on September 15, 1998. The resolution creating the district left the matter of the actual dates for converting services and removing overhead facilities to be established later. This action will set May 5, 1999 as the Customer Ready Date, which will require that upon this date, all affected customers within the underground utility district must have their services prepared to receive service from the new underground system. This action will also establish August 13, 1999 as the Pole Removal Date, which will require that upon this date, all overhead facilities within the underground utility district must be removed. The utility companies concur with these proposed dates. Council Policy 800-2 provides for the use of California Public Utilities Commission Case 8209 funds to assist in financing the conversion of private electric service laterals in all underground utility districts. Funding consists of a lump-sum reimbursement based upon the length of the electrical service trench for electrical and conduit up to a maximum of \$1,800 per electric service lateral. In most cases, the reimbursement is sufficient to cover the entire cost for the trenching. Reimbursement does not include the cost of modifications to the electrical service box which typically ranges from \$300-\$1,500.

FILE LOCATION:                      STRT - K-254 (38)

COUNCIL ACTION:                      (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.



\* ITEM-105: Sewer Easement Abandonment within a Portion of Block 6, Map-1216.

(La Jolla Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-684 Cor.Copy 2) ADOPTED AS RESOLUTION R-291271

Authorizing the execution of a quitclaim deed, conveying all of the City's right, title, and interest in the remaining portion of the 10-foot wide sewer easement over the closed alley between Lots 1-7 and 19-26 of Block 6, La Jolla Strand, Map-1216, and the sewer easement occupying the northerly 3-feet of Lot 6, Block 6, La Jolla Strand, Map-1216.

**CITY MANAGER SUPPORTING INFORMATION:**

The existing sewer easement is located between La Jolla Boulevard, Electric Avenue and Gravilla Street in the Community of La Jolla. This easement encumbers 1,617 square feet and lies in the middle of the La Jolla Palms Motel property. The easement was created to provide maintenance access to the sewer mains that remained when the corresponding alley was closed (Book 4018, Page 198, O.R. dated March 17, 1951) and converted to private ownership. In December of 1997, the sewage flow into the mains within the easement was diverted to new mains in the adjacent streets. This work was completed as part of Sewer and Water Replacement Group 604. As a result, the sewer mains in the easement now only serve the La Jolla Palms Motel property. The public sewer system for this area is established and there are no future plans to install any public sewer mains within the easement proposed for abandonment. The property owner has requested that the easement be abandoned in order to unencumber the property. They have further agreed to accept the responsibility for all future maintenance of these sewers. The sewer easement has no present or potential value to the City of San Diego and may be quitclaimed for the cost of processing the documents.

WWF-99-350.

FILE LOCATION: DEED F-7419

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-106: Street Dedication and Joint Use Agreements - Science Park Road.

(University Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-826) ADOPTED AS RESOLUTION R-291272

Approving the acceptance by the City Manager of a grant deed for public street purposes of ARE-10933 North Torrey Pines, LLC, granting to the City a portion of Lot 1, Torrey Pines Science Park Unit No. 1, and dedicating and naming the street Science Park Road.

Authorizing the City Manager to enter into a Joint Use Agreement with Pacific Bell in connection with this project;

Authorizing the City Manager to enter into a Joint Use Agreement with San Diego Gas and Electric in connection with this project.

**CITY MANAGER SUPPORTING INFORMATION:**

This requested action dedicates additional right-of-way width on the north side of Science Park Road at the northeast corner of North Torrey Pines Road in the University community. The increased width is needed to provide a turn lane at the intersection and is a requirement of the La Jolla Spectrum development. Portions of the new right-of-way are encumbered by existing easements held by Pacific Bell and San Diego Gas & Electric which requires the approval of the Joint Use Agreements. Staff recommends approval of these items.

FILE LOCATION: DEED F-7420

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-107: Street Name Change - Frontage Road to Cara Way.

(Miramar Ranch North Community Area. District-5.)

**COUNCILMEMBER WARDEN'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-862) ADOPTED AS RESOLUTION R-291273

Changing the name of the section of Frontage Road between Scripps Poway Parkway and Poway Road to Cara Way;

Declaring that the street signage shall indicate both the old street name and new street name for a period of six months;

. Authorizing the installation and removal of the necessary signs and markings.

**CITY MANAGER SUPPORTING INFORMATION:**

On January 30, 1999, a San Diego Crime Victims' Oak Garden was established with the planting of 400 oak trees in honor and memory of Cara Knott at Frontage Road between Scripps Poway Parkway and Poway Road, east of Interstate 15. The City of San Diego will change the name of Frontage Road to Cara Way in honor and memory of Cara Knott. The City of San Diego Metropolitan Waste Water Department is the only abutting property owner.

FILE LOCATION: DEED F-7421

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-108: Amending the 1999 Legislative Calendar for the City of San Diego City Council.

(See memorandum from Mayor Golding dated 2/8/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-886) ADOPTED AS RESOLUTION R-291274

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999, by adding the following meetings:

**City Council Meetings**

1. Add Council meetings on March 29 and 30, 1999.
2. Add Council meetings on April 26 and 27, 1999.
3. Add Council meetings on May 17 and 18, 1999.

**Housing Authority**

1. Add a Housing Authority meeting on March 23, 1999.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-109: Citizens Options for Public Safety Grant Spending Modification.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-848) ADOPTED AS RESOLUTION R-291275

Authorizing the City Manager to amend the 1998/99 Citizens Options for Public Safety Block Grant by allocating approximately \$200,000 for the sharing of costs for Drug Court operations;

Authorizing the City Manager to execute all aspects of the program operation including amendments, extensions, or renewals for a period of up to five years, provided funding is made available by the State of California, and to certify that the City will comply with all applicable statutory and regulatory requirements related to the program.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-110: \$2,133,000 Federal Appropriation, Wastewater Infrastructure Grant.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-801) ADOPTED AS RESOLUTION R-291276

Authorizing the City Manager or his representative to conduct all negotiations, execute and submit all documents, and administer grant funds in the amount of \$2,133,000 appropriated by Senate Bill 4194 for wastewater infrastructure improvement by the City.

**CITY MANAGER SUPPORTING INFORMATION:**

Senate Bill 4194, identifies appropriations for the federal fiscal year ending September 30, 1999. Contained within this bill is \$2,133,000 for wastewater infrastructure improvements for the City of San Diego. The Metropolitan Wastewater Department is proposing that these funds be used on the South Bay Sewer and Pump Station Project, upon approval by the Environmental Protection Agency. These funds will be used to off-set project costs to design and construct this project. If for some reason the Environmental Protection Agency declines funding for this project, an alternative project will be identified for use of these funds. The estimated construction cost for the sewer and pump station project is \$21 million. It is requested that the City Council authorize the City Manager or his designated representative to conduct all negotiations and execute and submit all documents to accept and administer this grant. It is estimated that the first reimbursement from this grant would be in May 1999.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-111: International Association of Chiefs of Police (I.A.C.P.) - 2000 Fund.

(See City Manager Report CMR-99-25.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-881) ADOPTED AS RESOLUTION R-291277

Authorizing the City Auditor and Comptroller, in cooperation with the Police Department and the City Attorney, to create a separate special fund of the City to be called the IACP Fund to receive and disburse as directed by the City Manager any and all contributions designated and received for the purpose of hosting the IACP Conference 2000;

Declaring that to the extent allowed by law, the City's procurement and expenditure policies may be waived in connection with funds received from private donations for the IACP Conference 2000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-112: Reuben H. Fleet Space Theater and Science Center Reimbursement.

(Balboa Park Community Area. District-3.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-854) ADOPTED AS RESOLUTION R-291278

Authorizing a reimbursement agreement with San Diego Space and Science Foundation for the Exterior Maintenance of the Fleet Center;

Authorizing the City Auditor and Comptroller to expend an amount not to exceed \$24,000 from Fund 60252, Navy Hospital Building Demolition, to reimburse the Foundation for the work to the exterior of the Fleet Center.

**CITY MANAGER SUPPORTING INFORMATION:**

In 1992 the expansion of the Reuben H. Fleet Space Theater and Science Center (operated by the San Diego Space and Science Foundation) was approved by the City Council and the Park and Recreation Board as part of the Precise Plan for the Central Mesa of Balboa Park. The \$6,500,000 expansion (completed in May 1998) more than doubled the size of the existing Fleet Center. The Space Theater financed the expansion with tax-exempt bonds. The Space Theater is requesting reimbursement from the City in the amount of \$24,000 for replacing the exterior paving (north of the theater lobby) and painting the exterior of the existing building. In the

1996 lease agreement between the City and the San Diego Space and Science Foundation, the City is responsible for maintenance of the building exterior.  
Aud. Cert. 9900800.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-113: Fiesta Island Replacement Project (FIRP) Pump Station.

(Peninsula Community Area. District-2.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-877) ADOPTED AS RESOLUTION R-291279

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$473,395 within Fund No. 41509, from CIP-40-911.1, South Bay Pump Station and Conveyance System - Phase I, to CIP-40-055.0, FIRP Pump Station;

Authorizing the expenditure of an amount not to exceed \$722,365 from Fund No. 41509, CIP-46-055.0, FIRP Pump Station, to provide funds for the Fiesta Island Replacement Project Pump Station, related cost and contingency;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

**CITY MANAGER SUPPORTING INFORMATION:**

Council Resolution R-285269 authorized construction of the Fiesta Island Replacement Project - Sludge Pump Station (FIRP SPS) at the Point Loma Wastewater Treatment Plant (PLWTP). Construction began in July 1995 on this important component at the FIRP to relocate biosolids



drying facilities from the Fiesta Island to the Metro Biosolids Center located adjacent to the Miramar Landfill. Phase one facilities at the SPS have been in operation since February 1998. Phase two improvements for odor control and sludge screening facilities were made operational in November 1998.

Start up of the pump station identified a number of smaller pumps throughout the plant which needed to be upgraded. Funding requested by this action will cover these upgrades as well as addition of several safety features to the pump station. Additional funding is requested for related in-house City costs to accommodate an extensive commissioning period for this large pump station.

Aud. Cert. 9900812.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-114: Replacement of Barrier Rail on the Pacific Highway Bridge Over San Diego River.

(Mission Valley Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-852) ADOPTED AS RESOLUTION R-291280

Accepting the Program Supplement No. 005-M to Local Agency - State Agreement for Federal Aid Project No. 11-5004 (016), for the amount of \$428,486 for Replacement of Barrier Rail on the Pacific Highway Bridge Over San Diego River;

Authorizing the appropriation of an amount not to exceed \$428,486 from Program Supplement No. 005-M to CIP-52-519.0, Annual Allocation - Bridge

Rails, Fund 38730 for CIP-52-519.4, Replacement of Barrier Rail on the Pacific Highway Bridge Over San Diego River;

Authorizing the expenditure of an amount not to exceed \$487,000 from CIP-52-519.0, Annual Allocation - Bridge Rails, for Replacement of Barrier Rail on the Pacific Highway Bridge Over San Diego River, of which \$428,486 is from Fund 38730 and \$58,415 is from TransNet Fund 30300;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess funds, if any, to the appropriate reserves, provided the City Auditor first furnishes a certificate demonstrating the funds necessary for the expenditures are, or will be, on deposit in the City Treasury.

**CITY MANAGER SUPPORTING INFORMATION:**

This existing lightweight timber railing on Pacific Highway Bridge Over San Diego River is substandard. This project provides for the construction of a standard concrete barrier rail on the bridge and installation of guardrail where required.

Aud. Cert. 9900769.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-115: Replacement of Barrier Rail on the North Torrey Pines Road Bridge Over Callan Road.

(University Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-876) ADOPTED AS RESOLUTION R-291281

Accepting the Program Supplement No. 006-M to Local Agency - State Agreement for Federal Aid Project No. 11-5004 (029), for the amount of \$161,418 for Replacement of Barrier Rail on the North Torrey Pines Road Bridge over Callan Road;

Authorizing the appropriation of an amount not to exceed \$161,418 from Program Supplement No. 006-M, Fund 38702 to CIP-52-519.0, Annual Allocation - Bridge Rails, Replacement of Barrier Rail on the North Torrey Pines Road Bridge over Callan Road;

Authorizing the expenditure of an amount not to exceed \$202,262 from CIP-52-519.0, Annual Allocation - Bridge Rails, for Replacement of Barrier Rail on the North Torrey Pines Road Bridge over Callan Road, of which \$161,418 is from HBRR Grant Fund No. 38723; \$31,000 is from TransNet Fund 30300, and \$9,844 is from TransP Fund 30303;

Authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves, provided that the City Auditor first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury.

**CITY MANAGER SUPPORTING INFORMATION:**

The existing lightweight timber railing on North Torrey Pines Road Bridge over Callan Road is substandard. This project provides for the construction of a standard concrete barrier rail on the bridge and installation of guardrail where required.

Aud. Cert. 9900811.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-116: Objecting to the San Diego County Tax Sale of Certain Assessor's Parcels Subject to Delinquent 1915 Act Special Assessments.

(Otay Mesa Community Area. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-875) ADOPTED AS RESOLUTION R-291282

Objecting to the San Diego County Tax Collector's sale of assessor's parcel numbers as follows:

Assessment District 4021:

646-120-30-00;	646-120-39-00;	646-261-01-00;
646-261-02-00;	646-261-03-00;	646-261-04-00;
646-261-05-00;	646-261-07-00;	646-261-11-00;
646-261-12-00;		

Assessment District 4011:

646-150-06-00;	646-150-11-00;	646-150-12-00;
646-150-15-00;	646-150-24-00.	

**CITY MANAGER SUPPORTING INFORMATION:**

The City of San Diego has received notice that the referenced Assessor's Parcels of land within two of the City's 1915 Act Assessment Districts are scheduled to be sold at a tax sale to be held on February 26, 1999. The purpose of this tax sale is to enable the County Treasurer-Tax Collector to recover unpaid property taxes levied against the parcels. These parcels also are subject to delinquent special assessments levied by the City of San Diego under the Improvement Bond Act of 1915.

Pursuant to Revenue and Taxation Code Section 3695, if the City of San Diego desires to protect its lien rights as to these special assessments, it must file certified copies of a Resolution objecting to the tax sale with the County Treasurer - Tax Collector and the Board of Supervisors. By filing such a Resolution, the City preserves its assessment liens on the properties such that the liens will be unaffected by the Treasurer-Tax Collector's tax sale.

Assessor Parcel Numbers:

Assessment District 4021:

646-120-30-00  
646-120-39-00  
646-261-01-00  
646-261-02-00  
646-261-03-00  
646-261-04-00  
646-261-05-00  
646-261-07-00  
646-261-11-00  
646-261-12-00

Assessment District 4011:

646-150-06-00  
646-150-11-00  
646-150-12-00  
646-150-15-00  
646-150-24-00

FILE LOCATION: STRT - D-2265 (31)

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-117: Amendment No. 3 to the Agreement with EMA Services, Inc., for Consultant Services for Telemetry Control Systems - SCADA - Phase I.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-784) ADOPTED AS RESOLUTION R-291283

Authorizing Amendment No. 3 to the Agreement with EMA Services, Inc., to perform engineering consultant services for Telemetry Control Systems, SCADA - Phase 1 for an amount not to exceed \$139,927;

Amending the Fiscal Year 1999 Budget by increasing the total appropriations in Water Fund 41500 by \$139,927 from unappropriated fund balance for CIP-73-308.0, Telemetry Control System - SCADA;

Authorizing the expenditure of an amount not to exceed \$139,927 from Water Fund 41500, CIP-73-308.0, Telemetry Control Systems - SCADA.

**CITY MANAGER SUPPORTING INFORMATION:**

The state-of-the-art Supervisory Control and Data Acquisition (SCADA) System Master Station Replacement Project is currently under development and is scheduled for installation at various water pump plants. However, these water pump plants need to be prepared for the new SCADA System to provide full functionality for remote monitoring and control. The SCADA system testing and start-up date is scheduled for March 11, 1999, and the water pump plants need to be SCADA ready by that time. Existing City resources have already been dedicated to other areas of the project. Many of the stations are found to lack adequate as-built information to allow for an easy transition to the new SCADA system. Therefore, it is staff's recommendation that the current "Scope of Work" of EMA Services, Inc., the existing SCADA consultant, be amended to provide for a plant for the design, testing, oversight and certification of the pump plant work. This would help ensure that the water pump stations would be ready by the March 11, 1999 date. EMA Services, Inc., would also develop "As-built" drawings and an Operations and Maintenance Manual for each water pump plant.

Aud. Cert. 9900708.

WWF-99-357.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-118: Jewell Hooper Day.

**COUNCILMEMBER STEVENS'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-880) ADOPTED AS RESOLUTION R-291284

Commending Ms. Jewell Hooper for her years of commitment and devotion, not only to the Council District but to the community as a whole;

Proclaiming February 19, 1999 to be "Jewell Hooper Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-119: Excusing Deputy Mayor Wear from the Rules Committee Meeting of 2/1/99.

**DEPUTY MAYOR WEAR 'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-878) ADOPTED AS RESOLUTION R-291285

Excusing Deputy Mayor Wear from attending the regularly scheduled Rules, Finance and Intergovernmental Relations Committee Meeting of February 1, 1999, due to a schedule conflict relating to other City business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-120: Five actions related to Authorizing Suggestion Awards to City Employees.

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-99-870) ADOPTED AS RESOLUTION R-291286

Douglas Murphy - Fire & Life Safety Services - \$2,500.

Subitem-B: (R-99-871) ADOPTED AS RESOLUTION R-291287

Granquist Gunnar - Fire & Life Safety Services - \$25.

James Williams - Information Technology & Communication - \$311.10.

Subitem-C: (R-99-872) ADOPTED AS RESOLUTION R-291288

Patrick Richardson - Fire & Life Safety Services - \$500.

Jesse Pagliaro - Metropolitan Wastewater - \$500.

Subitem-D: (R-99-873) ADOPTED AS RESOLUTION R-291289

William Long - Park & Recreation - \$618.62.

Subitem-E: (R-99-874) ADOPTED AS RESOLUTION R-291290

William Long - Park & Recreation - \$2,500.

FILE LOCATION: Subitems A,B,C,D,E: MEET

COUNCIL ACTION: (Tape location: A141-272.)



CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTIONS. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-121: Appointment to the Board of Zoning Appeals.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-841) ADOPTED AS RESOLUTION R-291291

Council confirmation of the appointment by the Mayor of Pamela Wilson, to serve as an alternate member of the Board of Zoning Appeals, for a term ending March 1, 2001, to replace Janice Brown, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-122: Appointment to the Civil Service Commission.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-834) ADOPTED AS RESOLUTION R-291292

Council confirmation of the appointment by the Mayor of Norman Seltzer to serve as a member of the Civil Service Commission for a 5-year term ending January 9, 2004, to replace Robert P. Ottilie, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-123: Appointment to the Commission on the Status of Women.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-840) ADOPTED AS RESOLUTION R-291293

Council confirmation of the appointment by the Mayor of Paula S. Rosenstein to the Commission on the Status of Women, for a term ending March 1, 2000, replacing Kathleen Jones, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-124: Appointment to the Human Relations Commission.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-837) ADOPTED AS RESOLUTION R-291294

Council confirmation of the appointment by the Mayor of Reverend Harry Walter Cooper, Jr., to serve as a member of the Human Relations Commission, for a term ending July 22, 2002, to replace Sandra Johnson, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-125: Appointment to the La Jolla Shores Planned District Advisory Board.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-838) ADOPTED AS RESOLUTION R-291295

Council confirmation of the appointment by the Mayor of Fred D. Borrelli to the La Jolla Shores Planned District Advisory Board, for a term ending April 1, 1999, to fill the unexpired term of Sara F. Moser, who has resigned, and to a new two-year term beginning April 1, 1999 and ending April 1, 2001.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-126: Reappointment to the Planning Commission.

(See memorandum from Mayor Golding dated 1/22/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-839) ADOPTED AS RESOLUTION R-291296

Council confirmation of the reappointment by the Mayor of William R. Anderson to serve as a member of the Planning Commission for a term ending January 28, 2003.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-127: Nomination to the San Diego Data Processing Corporation Board of Directors.

(See memorandum from Mayor Golding dated 1/22/99 with resume attached.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-835) ADOPTED AS RESOLUTION R-291297

Nominating the following person to serve on the Board of Directors of the San Diego Data Processing Corporation to fill one vacancy:

<u>NAME</u>	<u>CATEGORY REPRESENTED</u>	<u>NOMINATED BY</u>
Alan Ziegaus	General Business	Mayor Golding

After full and complete public discussion and deliberation, electing Alan Ziegaus to the Board of Directors of the San Diego Data Processing Corporation, for a term ending July 1, 2000, to fill the unexpired term of Laverne Brown, who has resigned;

Moving Mike Gross from the Category of General Business to the category of Data Processing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-128: Reappointments to the San Diego Housing Commission.

(See memorandum from Mayor Golding dated 1/22/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-836) ADOPTED AS RESOLUTION R-291298

Council confirmation of the following reappointments by the Mayor to the San Diego Housing Commission, for terms expiring as indicated:

<b><u>Name</u></b>	<b><u>Term Ending</u></b>
Steven W. Oxberry	January 2, 2001
Thomas F. Steinke	January 2, 2003

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-129: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

( District-8)

**TODAY'S ACTION IS:**

Adoption of the following resolution:

(R-99-879) ADOPTED AS RESOLUTION R-291299

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

**FILE LOCATION:** GEN'L - State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-130: Renewal of the Soledad Club Lease Agreement.

(See City Manager Reports CMR-99-19 and CMR-98-04. Pacific Beach Community Area. District-6.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-580) ADOPTED AS RESOLUTION R-291300

Authorizing a lease agreement with Soledad Club, for the property at 5050 Soledad Road, at an initial annual rent of \$3,000 per year.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:**

On 1/14/98, PS&NS voted 5-0 to approve on consent. (Councilmembers Wear, Stevens, Warden, McCarty and Vargas voted yea.)

FILE LOCATION: LEAS - Soledad Club

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- \* ITEM-131: Amending the 1999 Legislative Calendar for the City of San Diego Committee on Rules, Finance and Intergovernmental Relations.

(See memorandum from Mayor Golding dated 2/8/99.)

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-885) ADOPTED AS RESOLUTION R-291301

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period January 1, 1999 through December 31, 1999, by adding the following meetings:

1. Add a meeting of the Rules, Finance and Intergovernmental Relations Committee on Thursday, March 4, 1999, at 1:00 p.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.
2. Add a meeting of the Rules, Finance and Intergovernmental Relations Committee on Monday, March 22, 1999, at 10:00 a.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.
3. Add a meeting of the Rules, Finance and Intergovernmental Relations Committee on Monday, March 29, 1999, at 10:00 a.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.
4. Add a meeting of the Rules, Finance and Intergovernmental Relations Committee on Monday, April 26, 1999, at 10:00 a.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.
5. Add a meeting of the Rules, Finance and Intergovernmental Relations Committee on Monday, May 24, 1999, at 10:00 a.m., in the Council Committee Room, 202 C Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)



CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-132: Commercial Vehicle Prohibition on Donaker Street.

(Rancho Penasquitos Community Area. District-1.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-808) ADOPTED AS RESOLUTION R-291302

Prohibiting commercial vehicles with a gross vehicle weight rating of over 10,000 pounds from operating on Donaker Street between La Harina Court and Stargaze Avenue;

Authorizing the installation of the necessary signs and markings; the regulations imposed shall become effective upon the installation of the signs.

**CITY MANAGER SUPPORTING INFORMATION:**

This action prohibits commercial vehicles with a rated capacity of five tons or more from using Donaker Street between La Harina Court and Stargaze Avenue. By law, passenger buses, public utility vehicles, and commercial vehicles with an origin or destination on the affected street are exempt from this provision. Alternate routes for commercial vehicles include Mira Mesa Boulevard, Miramar Road, and SR-52. Council approval is required according to San Diego Municipal Code Section 85.04. The Rancho Penasquitos Planning Board supports this action.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

\* ITEM-133: Maxwell H. Gluck Foundation Day.

**MAYOR GOLDING'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-895) ADOPTED AS RESOLUTION R-291303

Proclaiming February 20, 1999 to be "The Maxwell H. Gluck Foundation Day" in San Diego in appreciation for its outstanding efforts and goodwill to our community.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Approval of Industrial Medical Services Contract with Sharp Rees-Stealy Medical Group.

(See City Manager Report CMR-99-20.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-855) ADOPTED AS AMENDED AS RESOLUTION R-291304

Authorizing the execution of an agreement with Sharp Rees-Stealy Medical Group to provide industrial medical services to City employees for a period of two years with options to renew for three additional one-year periods, at an estimated cost of \$3,124,000 from Workers' Compensation Fund Number 60029.

Aud. Cert. 9900797.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

CONSENT MOTION BY McCARTY TO ADOPT THE RESOLUTION WITH DIRECTION TO THE CITY MANAGER TO EMPHASIZE AND MAKE PART OF THIS ACTION A WORK-SAFETY PROGRAM DUE TO THE HIGH NUMBER OF WORK-RELATED INJURIES AS REQUESTED BY DEPUTY MAYOR WEAR.

Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: Initiation of Otay Mesa Community Plan Amendment.

(Otay Mesa Community Area. District-8.)

**COUNCILMEMBER VARGAS'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-597) ADOPTED AS RESOLUTION R-291305

Approving initiation of an amendment to the Otay Mesa Community Plan and the City of San Diego Progress Guide and General Plan for the purpose of revising the Community Plan's land use designations and circulation system for Brown Field and certain areas adjacent to Brown Field.

**SUPPORTING INFORMATION:**

The San Diego Air Commerce Center at Brown Field proposed by the Brown Field Aviation Park, LLC (BFAP) requires an amendment to the Otay Mesa Community Plan. The purpose of the amendment is to revise the community plan's land use designations and circulation system for Brown Field and certain areas adjacent to Brown Field. An area designated for industrial use would be shifted to Airport designation to allow for an extended runway to accommodate cargo planes. Other areas currently designated for Airport would be shifted to a commercial designation to accommodate proposed retail, office and hotel uses. The alignment for La Media Road would be modified and a new road would be added to the Plan's circulation element to connect Otay Mesa Road, La Media Road, and Heritage Road on the north side of Brown Field. Section 111.0703 of the San Diego Municipal Code requires that any one of three initial criteria or all four supplemental criteria specified in the code must be met before a plan amendment can be initiated.

The BFAP proposal meets all four supplemental criteria:

**1 The proposed land use plan amendment is consistent with the goals and objectives of the Progress Guide and General Plan and the Otay Mesa Community Plan.**

The proposed BFAP amendment does not conflict with any of the goals and objectives of the Progress Guide and General Plan and Otay Mesa Community Plan and is supportive of the General Plan Goal calling for the City to function as an international center of commerce.

**2. The proposed land use plan amendment appears to offer a public benefit to the community or city.**

The BFAP proposal that would be accommodated by this plan amendment could potentially provide the City with substantial fiscal and economic benefits. A cargoport would stimulate industrial and commercial development in Otay Mesa which is currently an under developed industrial area. In addition, the proposed commercial uses on Brown Field and on adjacent city owned property could provide a substantial revenue source for the City.

**3. Public services appear to be available to serve the proposed increase in density or intensity of use.**

The BFAP proposal would include provision of necessary infrastructure to serve the proposed uses.

**4. City staff is available to process the proposed land use plan amendment without any work being deferred on General Fund supported programs or ongoing plan updates.**

Staff work on the proposed BFAP plan amendment would not delay any other General fund supported programs.

FILE LOCATION: LAND - Otay Mesa Community Plan - Brown Field (10)

COUNCIL ACTION: (Tape location: A284-456.)

MOTION BY VARGAS TO ADOPT THE RESOLUTION. Second by Stallings. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: Brown Field Aviation Park, LLC.

(See City Manager Report CMR-99-26. Otay Mesa, San Ysidro, Otay-Nestor Community Areas. District-8.)

**CITY MANAGER'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-864) ADOPTED AS AMENDED AS RESOLUTION R-291306

Authorizing the City Manager to extend the exclusive negotiation period to end six months after the Restated and Amended Memorandum of Understanding with Brown Field Aviation Park LLC is signed;

Authorizing the City Manager to execute the Restated and Amended Memorandum of Understanding with Brown Field Aviation Park LLC for the redevelopment of Brown Field.

**FILE LOCATION:** LEAS - Brown Field Aviation Park, LLC

**COUNCIL ACTION:** (Tape location: A461-B424.)

MOTION BY WARDEN TO ADOPT THE RESOLUTION AS AMENDED TO INCLUDE THE FOLLOWING CHANGES TO THE MEMORANDUM OF UNDERSTANDING AS REQUESTED BY STAFF: 1) CHANGE THE DATE THE ENVIRONMENTAL STUDY WILL BE SUBMITTED FROM JANUARY TO MID-MARCH; AND 2) BEYOND THE SIX-MONTH PERIOD, INCLUDE A ONE-YEAR EXTENSION SHOULD THE FEDERAL GOVERNMENT REQUIRE A FULL ENVIRONMENTAL IMPACT STUDY. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-330: Proposed Bond Issuance by the California Statewide Communities Development Authority for the Logan Square Apartments Located At 4742 Solola Avenue.

(See San Diego Housing Commission Report HCR-99-010. District-4.)

**SAN DIEGO HOUSING COMMISSION' S RECOMMENDATION:**

Adopt the following resolution:

(R-99-850) ADOPTED AS RESOLUTION R-291307

Approving the issuance of Multifamily Housing Revenue Bonds in an amount not to exceed \$8,700,000 by the California Statewide Communities Development Authority for the acquisition, construction, and rehabilitation of a 170-unit multifamily housing facility known as Logan Square Apartments.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A141-272.)

Hearing began at 11:20 a.m. and halted at 11:31 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-331: Issuance of Housing Revenue Bonds for North Park Properties.

(See Housing Commission Report HCR-99-001. Districts 4 and 7.)

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-849) ADOPTED AS RESOLUTION R-291308

Approving the issuance of bonds by the Housing Authority of the City of San Diego in an amount not to exceed \$10,000,000 for acquisition and rehabilitation

of the 166 multifamily rental units for the North Park Properties Projects, located at 4501 Logan Avenue and 4238 54th Place, pursuant to Section 147(f) of the Internal Revenue Code of 1986.

**NOTE:** See the Housing Authority Agenda of 2/16/99 for a companion item.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

Hearing began at 11:20 a.m. and halted at 11:31 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: Issuance of Housing Revenue Bonds for the Mayberry Apartment Located at 4328-4490 Mayberry Street.

(See Housing Commission Report HCR-99-002. District-4.)

**SAN DIEGO HOUSING COMMISSION'S RECOMMENDATION:**

Adopt the following resolution:

(R-99-851) ADOPTED AS RESOLUTION R-291309

Approving the issuance of bonds in an amount not to exceed \$4,200,000 by the Housing Authority of the City of San Diego to finance the acquisition and rehabilitation of approximately 70 units of multifamily rental housing located at 4328-4490 Mayberry Street pursuant to Section 147(f) of the Internal Revenue Code of 1986.

**NOTE:** See the Housing Authority Agenda of 2/16/99 for a companion item.

**FILE LOCATION:** MEET

**COUNCIL ACTION:** (Tape location: A141-272.)

Hearing began at 11:20 a.m. and halted at 11:31 a.m.

CONSENT MOTION BY McCARTY TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

**NON-DOCKET ITEMS:**

None.

**CLOSED SESSION ACTION:**

ITEM-CS-1: (R-99-869)      ADOPTED AS RESOLUTION R-291310

A Resolution adopted by the City Council in Closed Session on February 16, 1999:

Authorizing the City Manager to pay the sum of \$20,373.80 in the settlement of each and every claim against The City of San Diego, its agents and employees, resulting from the property damage claim of Ernest Clark, et al.; authorizing the City Auditor and Comptroller to issue one check in the amount of \$20,373.80, made payable to Luth & Turley, Inc. in full settlement of all claims.

Aud. Cert. 9900809

FILE LOCATION:              MEET

**ADJOURNMENT:**

The meeting was adjourned by Mayor Golding at 12:22 p.m.

FILE LOCATION:              MINUTES

COUNCIL ACTION:              (Tape location: B425).